

Order

Michigan Supreme Court
Lansing, Michigan

June 13, 2014

Robert P. Young, Jr.,
Chief Justice

148347

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 148347
COA: 308999
Wayne CC: 11-002103-FC

RANDALL SCOTT OVERTON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 31, 2013 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing whether the evidence was sufficient to show that the defendant engaged in the “intrusion, however slight, of any part of a person’s body or of any object into the genital or anal openings of another person’s body,” MCL 750.520a(r), such that his conviction of first-degree criminal sexual conduct under MCL 750.520b can be sustained. The parties should not submit mere restatements of their application papers.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 13, 2014


Clerk